

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 JAMES BLAND,
4 *Petitioner,*

5 vs.

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7 ISIDRO BACA, *et al.*,
8 *Respondents.*

2:17-cv-02228-JAD-CWH

ORDER DISMISSING CASE

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10 Petitioner James Bland has filed an application to proceed *in forma pauperis* and submitted
11 petition for writ of habeas corpus.¹ This matter has not been properly commenced because the
12 pauper application does not include all required attachments. Both 28 U.S.C. § 1915(a)(2) and
13 Local Rule LSR1-2 require a petitioner to attach (1) an inmate account statement for the past six
14 months and (2) a properly executed financial certificate. Petitioner Bland has failed to provide
15 either document. His application is therefore incomplete.

16 For this reason, the application for leave to proceed *in forma pauperis* is denied, and this
17 case will be dismissed without prejudice to Bland's ability to file a new petition in a new action
18 with a fully completed pauper application on the proper form with all required attachments.

19 **IT THEREFORE IS ORDERED** that the application to proceed *in forma pauperis* (**ECF**
20 **No. 1**) **is DENIED**, and **this action is DISMISSED** without prejudice to Bland's ability to file a
21 new petition in a new action with a properly completed pauper application. The Clerk of Court is
22 directed to **SEND petitioner two copies each of** an application form to proceed *in forma pauperis*
23 for incarcerated persons and a noncapital Section 2254 habeas petition form, one copy of the
24 instructions for each form, and a copy of the papers that he submitted in this action.

25 IT FURTHER IS ORDERED that **a certificate of appealability is DENIED** because jurists
26 of reason would not find the court's dismissal of this improperly commenced action without
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1ECF No. 1.

1 prejudice to be debatable or incorrect.

2 The Clerk of Court is directed to **ENTER JUDGMENT accordingly and CLOSE THIS**
3 **CASE.**

4 DATED: October 11, 2017

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8 UNITED STATES DISTRICT JUDGE
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